Annual Report
April 1, 2011 to March 31, 2012

Health Professions Regulatory Advisory Council (HPRAC)

Ontario
Health Professions Regulatory Advisory Council

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Mandate of the Health Professions Regulatory Advisory Council

The Health Professions Regulatory Advisory Council (HPRAC) is established under the *Regulated Health Professions Act, 1991* (RHPA), with a statutory duty to advise the Minister of Health and Long-Term Care on the regulation of health professions and professionals in Ontario. That duty includes providing advice on:

- Whether unregulated health professions should be regulated;
- Whether regulated health professions should no longer be regulated;
- Amendments to the RHPA;
- Amendments to a health profession's Act or a regulation under any of those Acts;
- Matters concerning the quality assurance programs and patient relations programs undertaken by health colleges; and,
- Any matter the Minister refers to HPRAC relating to the regulation of the health professions.

In this respect, the Minister relies on recommendations from HPRAC as an independent source of information, analysis and advice in the formulation of public policy. In providing its advice and conducting its affairs, HPRAC is independent of the Minister of Health and Long-Term Care, the Ministry of Health and Long-Term Care, the regulatory colleges, regulated health professional associations, and of stakeholders who have an interest in issues on which it provides advice.

In its recommendation-making process, HPRAC recognizes the objectives of the RHPA:

- To ensure that the health professions are regulated and coordinated in the public interest;
- To ensure that appropriate standards of practice are developed and maintained;
- To ensure that individuals have access to services provided by the health professions of their choice; and,
- To ensure that individuals are treated with sensitivity and respect in their dealings with the health professionals, the regulatory colleges and the Health Professions Appeal and Review Board (HPARB).

Advisory Council Governance

According to the RHPA statute, HPRAC is comprised of at least five and no more than seven persons who are appointed by the Lieutenant Governor in Council on the Minister's recommendation. As per the RHPA, Advisory Council members cannot be public servants or regulated health professionals. The Lieutenant Governor in Council designates one member of the Council as Chair and one as Vice-Chair. The Chair is responsible under the RHPA for ensuring that HPRAC carries out the advisory and other responsibilities assigned to the Chair, the Secretary, and the Council.

During the course of the year, there were significant changes in the Advisory Council composition. As of May 17, 2011 HPRAC became constituted with the following members:

- **Thomas Corcoran (Chair)** - Mr. Corcoran is currently the Chairman of MEMOTEXT Corporation and of NexgenRx Inc. He is also Director of LifeCapital Holdings, Director of ArtsandTV Inc. as well as the owner/founder of the Stonegate Group. Thomas also holds the position of Chair, Ontario Chapter, Institute of Corporate Directors (ICD) and is immediate Past Chair of Bridgepoint Health. He has also held senior executive positions including Vice President & Managing Director at Canada Life Insurance, U.K. Division, and Vice President at IBM Canada. Thomas is also a leader in voluntary sector governance and has served as Governor, University of Waterloo; Chair, President's Advisory Council, University of Waterloo; Chair, Board of Governors, Crescent School; President & Chair, Ontario Chamber of Commerce; Director, Canadian Chamber of Commerce and received the "Canada in Confederation" medal in 1992.
- **Rex Roman, PhD (Vice-Chair)** - Dr. Rex Roman is currently a Vice-Chair of the Research Ethics Board of Women's College Hospital. Rex recently completed a Fellowship in Mental Health and Ethics with the Department of Psychiatry at Women's College Hospital. Prior to that he worked for the Mississauga Halton Local Health Integration Network (LHIN) leading a demographic study of mental health resource allocation. He has also been a Fellow with the Joint Centre for Bioethics. He holds a Ph.D. in philosophy from the University of Toronto.
- **Martha Powell (Member)** - Martha Powell returned to her hometown of Thunder Bay after spending 20+ years in corporate communications and production in Toronto. From a production secretary for Pierre Berton at My Country Productions to a sixteen-year stint at McGrath & Associates where she started as a production assistant and ended as president of the company, to Senior Vice President of a national mutual fund company, and subsequently owning her own marketing communications agency, she has always been dedicated to the best possible quality of production and marketing communications standards for her clients. She has excelled in production and research in many business sectors including financial, pharmaceutical, telecommunications, automotive and public service. Martha has served on several corporate and not-for-profit boards of directors, specifically: McGrath & Associates Inc.; Side Effects Corporation; Spin Productions Inc.; Triangle Productions Inc.; Motivation Industrial Equipment Corp.; and, Habitat for Humanity, Thunder Bay Affiliate Chairperson, Fundraising Committee, 2009/10.
- **Peggy Taillon (Member)** - Peggy Taillon has led the Canadian Council on Social Development (CCSD), Canada's longest established social policy and research organization, through an unprecedented period of renewal since 2008. Immediately prior to CCSD, Peggy served as the Senior

Vice-President at The Ottawa Hospital, and was previously Executive Director of Ontario's Mental Health Implementation Task Force. Today Peggy's diverse voluntary roles include the International Initiatives for Mental Health and Disability Leadership, the Inner City Health Project, the Ontario Accessibility Secretariat Advisory Council and the Canadian Reference Group on Population Health under the Public Health Agency of Canada. Peggy also founded HERA Mission of Canada which undertakes many development projects empowering women and children in Western Kenya. Originally from the small northern Ontario town of South Porcupine, Peggy was educated in Toronto and Ottawa and holds degrees in Social Work and Law, as well as advanced diplomas in mediation and negotiation.

- **Said Tsouli (Member)** - Said Tsouli holds an MBA from INSEEC Paris, France and is currently an Account Manager at Royal Bank of Canada and a Business Consultant at Incon Industrial Ltd. In the past, Mr. Tsouli has been the President of Samar Portfolio, a shipping company. Mr. Tsouli has been on the Board of Directors for French Canadian Association of Ontario (ACFO de London-Sarnia) at the executive level. As well, Mr. Tsouli been involved heavily with the London Muslim Mosque and was the previous Executive Director for the London, Ontario chapter of the Muslim Association of Canada. Mr. Tsouli was also the Executive Director for Regroupement Multiculturel Francophone de London and a member of L'Assemblée de la francophonie de l'Ontario

Secretariat of the Advisory Council

HPRAC is supported in its work by Ontario Public Service employees who comprise its ongoing Secretariat. They are employed under the *Public Service of Ontario Act, 2006* and are eligible for all rights and benefits accorded under the Act, and they report to the Ministry of Health and Long-Term Care through the Health Human Resources Strategy Division. The Secretariat is responsible for managing the Council's day-to-day operations and affairs according to government policies, procedures and directives, and for supporting the Council by conducting consultations and policy research leading to formal recommendations and advice from HPRAC to the Minister. The Executive Coordinator provides leadership for the development, planning and implementation of business and operational plans, and systems and procedures for the effective administrative management of HPRAC. From time to time, HPRAC engages individuals on contract to assist with special assignments.

In November 2011, Don Embuldeniya, departed HPRAC's Secretariat and was replaced by Laura Niles on an interim basis in the role of Executive Coordinator. In 2011/12, the staff complement included an administrative assistant, a policy analyst and additional policy support of up to two resources, as workload required over the year.

Activities in 2011/12

Research and Policy Development:

From April 19, 2011 to June 17, 2011, HPRAC initiated public consultation regarding new criteria for regulating a new health profession under the *Regulated Health Professions Acts, 1991* (RHPA). Council finalized and released the updated criteria in July 2011.

The purpose of the criteria is to support the assessment of whether the health profession seeking regulation under the RHPA poses a risk of harm to the health and safety of the public, and whether it is in the public interest that the particular profession be regulated.

- PRIMARY CRITERIA: Applicants must show that the profession meets the following conditions with relevant, verifiable evidence:
  - Duties involve activities with the significant potential for physical or mental harm to patients
  - Duties require making decisions or judgment that can have a significant impact on patients' physical or mental health
  - There is significant potential of risk of harm occurring within the professional duties and activities
- SECONDARY CRITERIA: Once the primary criterion is met, HPRAC will apply the secondary criteria to measure the appropriateness of regulation. The secondary criteria:
  - Professional autonomy
  - Educational requirements for entry to practice
  - Body of knowledge and scope of practice
  - Economic impact of regulation
  - Regulatory mechanisms
  - Leadership's ability to favour the public interest and membership support and willingness of the profession to be regulated
  - Health System Impact
    - Inter-professional collaboration
    - Labour mobility
    - Access to care
    - Health human resource productivity
    - Health outcomes

The updated criteria will be used in making recommendations with regards to current and future ministerial referrals.

Ministerial Referrals:

Further to the Minister's letter of June 24, 2011, the following represents the revised timelines from the Minister of Health and Long-Term Care, Hon. Deb Matthews and a summary of activities completed for each referral as of March 31, 2012:

Referral	Due Date	Phase
Spousal Treatment *Description:* Advise on whether or not alternatives to the mandatory revocation provisions should exist in the *Regulated Health Professions Act, 1991* (RHPA) respecting the treatment of a spouse by a regulated health professional. *Activities completed:* Significant research and analysis completed including literature, jurisdictional and jurisprudence reviews. Completed public consultation program including invitations to colleges, associations, academics and key interested stakeholders. Online submissions were collected as well as town-hall meetings were conducted in seven Ontario cities. A total of 972 submissions were received, with 917 submitted by individuals and 55 from organizations. Facilitated Council workshop focused members on recommendations on a consensus basis.	Jun 1/12	Report writing
Physician Assistants (PA) *Description:* Advise on whether the PAs profession ought to be regulated, either independently or in conjunction with an existing profession under the RHPA, and if so what would be the appropriate scope of practice, controlled acts, model of regulation and titles authorized to the profession. *Activities completed*: Completed literature, jurisdictional and jurisprudence reviews as well as synthesis of research relative to the PA role. Received and reviewed the application for regulation submitted by the Canadian Association of Physician Assistants (CAPA). Completed public consultation program on March 30, 2012 with 51 submissions from individuals and 23 from organizations. Presentation to Council from CAPA and Health Human Resources Policy Branch on Physician Assistants in Ontario. Key informant interviews with Ontario Medical Association and Registered Nurses' Association of Ontario.	Aug 31/12	Data synthesis
Dental Assistants (DA) *Description:* Advise whether the practice of DAs ought to be regulated under RHPA, and if so, what would be the appropriate scope of practice, controlled acts and titles authorized to the profession, taking into account the activities these practitioners undertake with respect to x-rays and other forms of energy and the circumstances in which these are being done. Activities completed: Completed literature, jurisdictional and jurisprudence	Dec 31/13	Data synthesis

Referral	Due Date	Phase
reviews as well as synthesis of research relative to the role of DA. Received and reviewed the application for regulation from the Ontario Dental Assistants Association. Completed public consultation program on February 24, 2012 with over 1100 submissions from individuals and 16 from organizations. Council heard a presentation from ODAA on their application and synthesis on the broad range of data received during consultation continues.		
Diagnostic Sonographers *Description:* With regard to a previous HPRAC report in 2000, which recommended the regulation of diagnostic sonographers, make recommendations of the currency of, and any additions to, the advice provided. *Activities complete:* In addition to high level project planning, a jurisprudence review was completed in August 2011 as well as an initial literature review and stakeholder analysis.	Dec 31/13	Planning
Paramedics and Emergency Medical Attendants Advise whether paramedics and emergency medical attendants should be regulated under the RHPA, and if so, what would be the appropriate scope of practice, controlled acts and titles authorized to the profession.	Dec 31/13	Planning
Chiropody/Podiatry[1] Review issues relating to the regulation of chiropody and podiatry and provide advice as to whether and how there should be changes to existing legislation regarding these related professions.	TBD	TBD

Operations Management:

- Over the course of the year, the Secretariat staff developed and implemented a number of operational activities, including:
    - Set in place the necessary infrastructure to have bi-monthly teleconference meetings of HPRAC including web-based videoconferencing. These bi-monthly teleconferences complement the "in-person" council meetings held in alternating months.
    - Established web based infrastructure to support all HPRAC activities with cloud-based information repository.
    - Initiated a review of vendor management and design of www.hprac.org website for compliance with I&IT and related directives in partnership with Health Services I&IT Cluster.

[1] In March 2010, the Minister has informed HPRAC that advice on the Chiropody/Podiatry issue may begin only after December 2013 when the current round of referrals are complete.

- Arranged for training for all staff on website management software. Completed workflow improvement processes for content approvals.
- Developed interim methodology for data collection and synthesis and initiated review of long-term solutions.
- Moved the physical location of HPRAC offices to 56 Wellesley Street West and executed office closure activities for 55 St. Clair St. West site.
- Simplified project management tools to enhance the effectiveness of internal activities and processes.

Presentations and Communications:

During the course of the fiscal year, the Chair and the Secretariat staff have made presentations to various organizations and participated in conferences and meetings regarding the regulation of health professions in Ontario, including:

- Ontario Base Hospitals Conference
- Mississauga Halton LHIN
- Federation of Health Regulatory Colleges of Ontario
- College of Psychologists of Ontario

In addition, the Secretariat staff processed over 150 enquiries from the public and health care professionals through multiple channels.

Financial Statement, April 1, 2011 to March 31, 2012

The Council's budget is contained within the Ministry's Health Human Resources Division. For the fiscal period ending March 31, 2012, HPRAC's expenditures were:

Salaries and benefits	$ 268,553
Operating expenses	$ 150,616
Total	**$ 419,169**

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